

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 1, 2007. Claims 28, 29 and 31 to 41 remain in the application, with Claim 30 having been canceled. Claims 28, 39, 40 and 41 are the independent claims. Reconsideration and further examination are respectfully requested.

Applicants thank the Examiner for the indication that Claims 30, 31, 37 and 38 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In keeping with this indication, independent Claim 28 has been amended to include the subject matter of Claim 30. Independent Claims 39, 40, and 41 are directed to a method, storage medium, and program, respectively, substantially in accordance with the apparatus of Claim 28, and each of Claims 39, 40, and 41 has also been amended to include the subject matter of Claim 30. Claim 30 has correspondingly been cancelled. Consequently, all claims are believed to be allowable over the applied art.

Claims 40 and 41 were rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. In particular, the Office Action alleges that these claims are directed to functional descriptive material which is not stored on a computer-readable medium. Without conceding the correctness of this rejection, Claim 41 has been amended to recite a "a computer-executable program stored on a computer-readable medium". With regard to Claim 40, however, the rejection is traversed. In particular, Claim 40 is specifically directed to a storage medium which "computer-readably stores a program". Thus, it is not seen how Claim 40 does not define a computer-readable medium, and Claim


40 is seen to be in accordance with the language suggested by the MPEP. See MPEP § 2106.01. Withdrawal of the rejection is therefore respectfully requested.

Claims 28, 33 and 39 to 41 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,027,214 (Fujimori). Claim 29 was rejected under 35 U.S.C. § 103(a) over Fujimori in view of U.S. Patent No. 5,579,502 (Konishi). Claims 32 and 35 were rejected under § 103(a) over Fujimori in view of U.S. Patent No. 4,717,971 (Sawyer), and Claims 34 and 36 were rejected under § 103(a) over Fujimori in view of U.S. Patent No. 5,806,072 (Kuba). In this regard, the claims have been amended in accordance with the Examiner's indication of allowable subject matter, as discussed above. These actions have been taken without prejudice or disclaimer of subject matter, and without conceding the correctness of any rejection, but rather solely for the purpose of expediting issuance. Accordingly, this should be viewed as a traversal of the rejections.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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